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10-26-06

04:59 PM

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Consider the Adoption of a
General Order and Procedures to Implement The Digital
Infrastructure and Video Competition Act of 2006 ("DIVCA").

Rulemaking: R. 06-10-005

COMMENTS OF THE COMMUNICATIONS WORKERS OF AMERICA,
DISTRICT 9, AFL/CIO ON THE ORDER INSTITUTING RULEMAKING TO
IMPEMENT AB 2987 AND RULES ATTACHED THERETO

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Dated: October 26, 2006

COMMENTS OF THE COMMUNICATIONS WORKERS OF
AMERICA, DISTRICT 9, AFL/CIO ON THE ORDER
INSTITUTING RULEMAKING TO IMPLEMENT AB 2987 AND
RULES ATTACHED THERETO

The Communications Workers of America (CWA) files these Comments in the above captioned docket in response to the October 5, 2006, request of the California Public Utilities Commission for comments on its draft general order and on its tentative proposals for implementing duties assigned by AB 2987.

In reviewing the legislative intent of AB 2987, the bill calls for, in the developing of the new processes, specified principles to be adhered to. One of those principles is respect for collective bargaining agreements. The Commission's General Order, refers to that entire section of AB2987 as objectives that should be achieved, not a principle to be adhered to. And the entire reference to one of those principles, collective bargaining agreements, has been omitted.

Historically, a collective bargaining agreement, defines the pay and working conditions between the employer and employees, and thus was considered by the California Legislature to be an extremely important component to AB 2987. The commission when developing the application form for a franchise should require the applicant to state whether or not its employees are covered by a collective bargaining agreement, and require an applicant for an amended franchise to state that it has agreed to honor the agreement and pay, or perform obligations under the agreement to the same extent as would be required if the previous franchise continued to operate under the franchise.

Dated: October 26, 2006

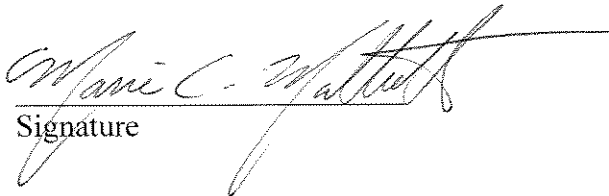
Respectfully submitted,
Communications Workers of
America, District 9, AFL/CIO

By: 
Marie C. Malliett

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of Initial Comments to Order Instituting Rulemaking to Consider the Adoption of a General Order and Procedures to Implement The Digital Infrastructure and Video Competition Act of 2006 ("DIVCA") Comments of the Communication Workers of America, District 9, AFL/CIO on the Order Instituting Rulemaking to Implement AB 2987 and Rules Attached Thereto on all known parties to R. 06-10-005 mailing a properly addressed copy by first-class mail with postage prepaid, or transmitting an e-mail message with the document attached, to each party named in the official service list.

Executed on October 26, 2006 at
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